

Call 12/18/95

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Please print or type with ELITE type (12 characters per inch) in the unshaded areas only

Form Approved. OMB No. 2050-0028. Expires 10-31-91
GSA No. 0246-EPA-OT

Please refer to the Instructions for Filing Notification before completing this form. The information requested here is required by law (Section 3010 of the Resource Conservation and Recovery Act).



EPA

Notification of Regulated Waste Activity

United States Environmental Protection Agency

Date Received
(For Official Use Only)

90-10-05

I. Installation's EPA ID Number (Mark 'X' in the appropriate box)

<input checked="" type="checkbox"/> A. First Notification	<input type="checkbox"/> B. Subsequent Notification (complete item C)
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C. Installation's EPA ID Number
NJ D 9 8 6 5 9 1 5 8 4

II. Name of Installation (Include company and specific site name)

A M E R I C A N C H E M I C A L I N D U S T R I E S

III. Location of Installation (Physical address not P.O. Box or Route Number)

Street
9 0 D A Y T O N A V E N U E

Street (continued)
P A S S A I C

City or Town	State	ZIP Code
P A S S A I C	N J	0 7 0 5 5 -

County Code	County Name
	P A S S A I C

IV. Installation Mailing Address (See Instructions)

Street or P.O. Box
3 6 0 W E S T 3 8 T H S T R E E T

City or Town	State	ZIP Code
N E W Y O R K	N Y	1 0 0 2 5 -

V. Installation Contact (Person to be contacted regarding waste activities at site)

Name (last)	(first)
H A S S A N	R A L P H
Job Title	Phone Number (area code and number)
P R E S I D E N T	2 1 2 - 8 7 3 - 0 4 2 2

VI. Installation Contact Address (See Instructions)

A. Contact Address Location	B. Street or P.O. Box
<input type="checkbox"/> Location <input checked="" type="checkbox"/> Mailing	

City or Town	State	ZIP Code
		-

VII. Ownership (See Instructions)

A. Name of Installation's Legal Owner
P A S S A I C I N D U S T R I A L C E N T E R A S S N

Street, P.O. Box, or Route Number
9 0 D A Y T O N A V E N U E

City or Town	State	ZIP Code
P A S S A I C	N J	0 7 0 5 5 -

Phone Number (area code and number)	B. Land Type	C. Owner Type	D. Change of Owner Indicator	(Date Changed) Month Day Year
2 0 1 - 4 7 3 - 8 8 0 6	P	P	Yes <input type="checkbox"/> No <input type="checkbox"/>	

ID - For Official Use Only

VIII. Type of Regulated Waste Activity (Mark 'X' in the appropriate boxes. Refer to instructions.)

A. Hazardous Waste Activity

1. Generator (See instructions) ☐ 3. Treater, Storer, Disposer (at installation)
 a. Greater than 1000kg/mo (2,200 lbs.) ☐ Note: A permit is required for this activity; see instructions.
 b. 100 to 1000 kg/mo (220 - 2,200 lbs.) ☐ 4. Hazardous Waste Fuel
 c. Less than 100 kg/mo (220 lbs.) ☒ a. Generator Marketing to Burner
 2. Transporter (Indicate Mode in boxes 1-5 below) ☐ b. Other Marketers
 a. For own waste only ☐ c. Burner - Indicate device(s) -
 b. For commercial purposes ☐ Type of Combustion Device
 Mode of Transportation ☐ 1. Utility Boiler
☐ 1. Air ☐ 2. Industrial Boiler
☐ 2. Rail ☐ 3. Industrial Furnace
☐ 3. Highway ☐ 5. Underground Injection Control
☐ 4. Water
☐ 5. Other - specify

B. Used Oil Fuel Activities

1. Off-Specification Used Oil Fuel
 a. Generator Marketing to Burner ☐
 b. Other Marketer ☐
 c. Burner - Indicate device(s) -
 Type of Combustion Device
☐ 1. Utility Boiler
☐ 2. Industrial Boiler
☐ 3. Industrial Furnace
 2. Specification Used Oil Fuel Marketer
 (or On-site Burner) Who First Claims
 the Oil Meets the Specification ☐

IX. Description of Regulated Wastes (Use additional sheets if necessary)

A. Characteristics of Nonlisted Hazardous Wastes. Mark 'X' in the boxes corresponding to the characteristics of nonlisted hazardous wastes your installation handles. (See 40 CFR Parts 261.20 - 261.24)

1. Ignitable (D001) ☐ 2. Corrosive (D002) ☐ 3. Reactive (D003) ☐ 4. EP Toxic (D000) ☐
 (List specific EPA hazardous waste number(s) for the EP Toxic contaminant(s))

B. Listed Hazardous Wastes. (See 40 CFR 261.31 - 33. See instructions if you need to list more than 12 waste codes.)

1 F 0 0 1	2 F 0 0 2	3 U 0 4 4	4 U 1 2 2	5 D 0 0 2	6 D 0 0 7
7 D 0 0 1	8 P 0 3 0	9	10	11	12

C. Other Wastes. (State or other wastes requiring an I.D. number. See instructions.)

1	2	3	4	5	6

X. Certification

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment.

Signature

**

Name and Official Title (type or print)
Richard Emanuel

Date Signed

10/3/90

XI. Comments

**See Attachment A.

Note: Mail completed form to the appropriate EPA Regional or State Office. (See Section III of the booklet for addresses.)

90 OCT -5 AM 11:07

BRANCH

October 3, 1990

U.S. Environmental Protection
Agency - Region II
Permits Administration Branch
26 Federal Plaza, Room 505
New York, New York 10278

Re: Notification of Regulated Waste Activity

Dear Sir or Madam:

I enclose a completed Notification of Regulated Waste Activity form ("Notification Form").

Please note that our particular situation does not fall squarely within the form or the directions for its completion. Although I have signed the form, I am not the owner, operator or representative of the installation providing the notification and seeking an EPA Identification Number. Rather, I am a representative of the legal owner of the property on which the installation, American Chemical Industries, was located. Thus, I represent the landlord and American Chemical Industries was one of its tenants.

American Chemical Industries' obligations as a tenant ended on September 7, 1990. Prior to that time, American Chemical Industries, had signed the Surrender and Acceptance Agreement that is attached to the Notification Form. Paragraph 7 of that agreement allows the landlord, on behalf of American Chemical Industries to dispose of any personalty that remained on the leased premises.

American Chemical Industries left behind hazardous materials when it vacated the premises. We have now packaged those materials as hazardous waste for disposal and we intend to dispose of the wastes on behalf of American Chemical Industries in accordance with the applicable regulations. In order to dispose of the waste for American Chemical Industries pursuant to Paragraph 7 of the Surrender and Acceptance Agreement, we must obtain an EPA Identification Number on its behalf. I therefore have filled out

U.S. Environmental Protection Agency
October 3, 1990
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and signed the Notification of Regulated Waste Activity form on behalf of American Chemical Industries.

Unless I hear otherwise from you, I will assume that you approve of my approach to these unique circumstances that do not fit within the form. Please be aware that we need to obtain the EPA Identification Number quickly so that we may ship the hazardous waste off-site within 90 days. Therefore we will call you to obtain the Identification Number.

Very truly yours,



RICHARD EMANUEL

Enclosure

ATTACHMENT A

I am not an owner, operator or authorized representative of the installation. However, I am a representative of the legal owner of the property, Passaic Industrial Center Association, on which the installation is located. Pursuant to Paragraph 7 of the Surrender and Acceptance Agreement attached hereto as Attachment B, Passaic Industrial Center Association has the authority to dispose of personalty left on the property on behalf of American Chemical Industries. I am therefore signing this Certification on behalf of American Chemical Industries for the limited purpose of obtaining a EPA Identification Number so that this material can be properly removed off-site.

ATTACHMENT B

SURRENDER AND ACCEPTANCE AGREEMENT

A
AGREEMENT made this 26th day of April, 1989, by and between American Chemical Industries a/k/a Americhem Chemical Process Div. ("American"), maintaining an office at Ralph Hassan ("Hassan") residing at Helmsley-Spear, Inc. ("HSI") maintaining an office at 60 East 42nd Street, New York, N.Y. and Passaic Industrial Center Associates ("Passaic") maintaining an office at 60 East 42nd Street, New York, N.Y.

WHEREAS, Passaic is the current owner and Landlord of the property and building located at 90 Dayton Avenue, Passaic, New Jersey ("Building"); and

WHEREAS, American entered into a lease dated December 13, 1989 ("Lease") with Passaic for certain fourth (4th) floor space in Building (hereinafter "Demised Premises")

WHEREAS, Hassan represents that he is the sole principal, officer and sole shareholder of American; and

WHEREAS, American failed to pay the monthly installments of the fixed yearly rent and pursuant to a duly issued Marshall's notice was evicted from the Demised Premises on or about February 17, 1989;

WHEREAS, American has certain items of personalty in the Demised Premises that it wishes to remove;

WHEREAS, the rental arrears through April 30, 1989 are in the amount of \$11,530.89;

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[Signature]

OK for
Adrian J.
to sign
as atty,

4/20/89

[Signature]
per
H

WHEREAS, American and Hassan are represented by counsel,
Martin A. Gendel, Esq.;

WHEREAS, Passaic wishes to allow American to remove all of its
personalty from the Demised Premises;

NOW, THEREFORE in consideration of one (\$1.00) dollar plus
other good and valuable consideration it is hereby stipulated and
agreed as follows:

1. Due to American's lawful eviction from the Demised
Premises due to nonpayment of rent the Lease is hereby
terminated. American hereby surrenders and assigns all
of its rights, title and interest in the Demised
Premises, including all lease rights, if any, to Passaic,
its successors and assigns to have and to hold forever.
2. Any other leases, assignments or any other instruments
giving American or Hassan any interest, in the Demised
Premises or the Building, possessory or otherwise, are
hereinafter null, void, and of no further force and
effect.
3. American and Hassan covenant, warrant and represent that
nothing has been done or will be done or suffered whereby
the Demised Premises or the Building have been or will
be encumbered or assigned in any wise whatsoever.

2 *Al. J.*
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4. Passaic hereby accepts the surrender of the Demised Premises.

5. Passaic consents to allow American and its agents access to the Demised Premises between the hours of 8:00 a.m. and 5:00 p.m. Monday through Friday from Monday April 24, 1989 through Friday ~~May 19~~ June 2, 1989 solely for the purpose of removing any and all items of personalty that American currently has in the Demised Premises. American and Hassan, warrant and covenant to leave the Demised Premises in broom clean condition on or before May 19, 1989. Time is of the essence.

6. This agreement shall not be deemed to create, extend or include any rights of possession or occupancy of the Demised Premises whatsoever, as occupant, tenant or otherwise.

7. American and Hassan hereby assign all of their right title and interest to any and all of the items currently stored in the Demised Premises to Passaic. If all such items are not removed from the Demised Premises and the Building by American on or before ~~May 19~~ June 2, 1989, Passaic shall have the right to remove, sell or dispose of all of the items in the Demised Premises in any way whatsoever without any further notice and retain any

proceeds therefrom as liquidated damages.

8. American and Hassan ("Releasors") hereby release and discharge Passaic, Helmsley and their respective partners, limited partners, officers, directors, employees and agents, ("Releasees") their heirs, executors, administrators, successors and assigns from all causes of action, suits, debts, dues, sums of money, accounts, reckonings, bonds, bills, specialties, covenants, contracts, controversies, agreements, promises, variances, trespasses, damages, judgments, extents, executions, claims and demands whatsoever in law admiralty or equity which against the Releasee, the Releasors, Releasors' heirs, executors, administrators, successors and assigns ever had, now have or hereafter can, shall or may, have for, upon, or by reason of any matter, cause or thing whatsoever from the beginning of the world to the day of the date of this release.
9. If American or its agents or someone claiming possession through American, its agents or Hassan have not vacated the Demised Premises on or before May 19, 1989 then American and Hassan shall be jointly and severally liable for all costs disbursements and legal fees incurred in removing any such occupant from the Demised Premises.

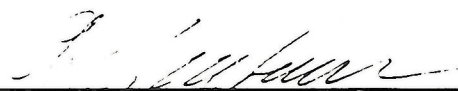
10. American and Hassan agree to jointly and severally, reimburse, indemnify and hold harmless Passaic, HSI, their agents, officers and employees from any and all claims in any way related to American's occupancy of the Demised Premises and its removal of its property therefrom, any damages to the Demised Premises or the Building and any other claims against American related to its occupancy of the Demised Premises.

11. This agreement embodies the full understanding of all the parties hereto and shall not be modified or discharged except by an agreement in writing signed by all of the parties hereto and shall be binding upon and inure to the benefit of each of the parties hereto, and their respective heirs, legal representatives, successors and assigns.

Dated: New York, New York
April 17, 1989



Ralph Hassan



Passaic Industrial Center Associates
by Helmsley-Spear, Inc. Agents
by: *Robert Lickerman, Dep. Gen Counsel*



Helmsley-Spear, Inc.
by: *Robert Lickerman, Dep. Gen Counsel*

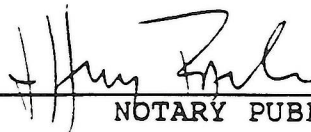


American Chemical Industries
a/k/a Americhem Chemical Process Div.
by

STATE OF NEW YORK)
: ss.:
COUNTY OF NEW YORK)

On the 19 day of April, 1989 before me personally came RALPH HASSAN residing at 350 Central Ave. West to me known to be the individual described in and who executed the foregoing instrument, and he acknowledged that he executed the same.

JEFFREY PACKER
Notary Public, State of New York
No. 31-4673806
Qualified in Westchester County
Commission Expires April 30, 1990


NOTARY PUBLIC

STATE OF NEW YORK)
: ss.:
COUNTY OF NEW YORK)

On the 19 day of April, 1989 personally came to me known, who, by me duly sworn, did depose and say that he resides at 350 Central Ave. West, that he is the President of American Chemical Industries Inc. a/k/a/ Americhem Chemical Process Div. the corporation described in and which executed the foregoing instrument, and he acknowledged that he executed the same with the approval and consent of the Board of Directors of such corporation.

JEFFREY PACKER
Notary Public, State of New York
No. 31-4673806
Qualified in Westchester County
Commission Expires April 30, 1990


NOTARY PUBLIC

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